

ASSEMBLY BILL

No. 2182

Introduced by Assembly Member Beth Gaines

February 20, 2014

An act to amend Section 23399 of the Business and Professions Code, relating to alcoholic beverages.

LEGISLATIVE COUNSEL'S DIGEST

AB 2182, as introduced, Beth Gaines. Alcoholic beverage control: caterer's permits.

The Alcoholic Beverage Control Act provides for the issuance of licenses for which various annual fees are charged depending upon the type of license issued. The act authorizes the issuance of a caterer's permit, upon application to the Department of Alcoholic Beverage Control, to any licensee under an on-sale general license, an on-sale beer and wine license, a club license, or a veterans' club license authorizing the sale of alcoholic beverages at specified locations and events.

This bill would make a nonsubstantive change to this provision.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 23399 of the Business and Professions
- 2 Code is amended to read:
- 3 23399. (a) An on-sale general license authorizes the sale of
- 4 beer, wine, and distilled spirits for consumption on the premises
- 5 where sold. Any licensee under an on-sale general license, an

1 on-sale beer and wine license, a club license, or a veterans' club
2 license may apply to the department for a caterer's permit. A
3 caterer's permit under an on-sale general license shall authorize
4 the sale of beer, wine, and distilled spirits for consumption at
5 conventions, *picnics, social gatherings*, sporting events, trade
6 exhibits, ~~picnics, social gatherings~~, or similar events held any place
7 in the state approved by the department. A caterer's permit under
8 an on-sale beer and wine license shall authorize the sale of beer
9 and wine for consumption at conventions, sporting events, trade
10 exhibits, picnics, social gatherings, or similar events held any place
11 in the state approved by the department. A caterer's permit under
12 a club license or a veterans' club license shall authorize sales at
13 these events only upon the licensed club premises.

14 (b) Any licensee under an on-sale general license or an on-sale
15 beer and wine license may apply to the department for an event
16 permit. An event permit under an on-sale general license or an
17 on-sale beer and wine license shall authorize, at events held no
18 more frequently than four days in any single calendar year, the
19 sale of beer, wine, and distilled spirits only under an on-sale general
20 license or beer and wine only under an on-sale beer and wine
21 license for consumption on property adjacent to the licensed
22 premises and owned or under the control of the licensee. This
23 property shall be secured and controlled by the licensee and not
24 visible to the general public.

25 (c) This section shall in no way limit the power of the
26 department to issue special licenses under the provisions of Section
27 24045 or to issue daily on-sale general licenses under the provisions
28 of Section 24045.1. Consent for sales at each event shall be first
29 obtained from the department in the form of a catering or event
30 authorization issued pursuant to rules prescribed by it. Any event
31 authorization shall be subject to approval by the appropriate local
32 law enforcement agency. The fee for each catering or event
33 authorization shall be issued at a fee not to exceed twenty-five
34 dollars (\$25) and this fee shall be deposited in the Alcohol
35 Beverage Control Fund as provided in Section 25761.

36 (d) At all approved events, the licensee may exercise only those
37 privileges authorized by the licensee's license and shall comply
38 with all provisions of the act pertaining to the conduct of on-sale
39 premises and violation of those provisions may be grounds for

1 suspension or revocation of the licensee's license or permit, or
2 both, as though the violation occurred on the licensed premises.

3 (e) The fee for a caterer's permit for a licensee under an on-sale
4 general license, a caterer's permit for a licensee under an on-sale
5 beer and wine license, or an event permit for a licensee under an
6 on-sale general license or an on-sale beer and wine license shall
7 be one hundred four dollars (\$104) for permits issued during the
8 2002 calendar year, one hundred seven dollars (\$107) for permits
9 issued during the 2003 calendar year, one hundred ten dollars
10 (\$110) for permits issued during the 2004 calendar year, and for
11 permits issued during the years thereafter, the annual fee shall be
12 calculated pursuant to subdivisions (b) and (c) of Section 23320,
13 and the fee for a caterer's permit for a licensee under a club license
14 or a veterans' club license shall be as specified in Section 23320,
15 and the permit may be renewable annually at the same time as the
16 licensee's license. A caterer's or event permit shall be transferable
17 as a part of the license.